

AUTHORIZING THE ADOPTION OF A REPORT RELATING
TO SEEPAGE AND DRAINAGE DAMAGES ON THE
ILLINOIS RIVER, ILL.

OCTOBER 12, 1943.—Ordered to be printed

Mrs. CARAWAY, from the Committee on Commerce, submitted the
following

REPORT

[To accompany H. R. 3029]

The Committee on Commerce, to whom was referred the bill (H. R. 3029) to authorize the adoption of a report relating to seepage and drainage damages on the Illinois River, Ill., having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The bill has been approved by the War Department, as will appear by the letter addressed to the chairman of the House Committee on Rivers and Harbors, included in the House report which follows and which is made a part of this report.

[H. Rept. No. 591, 78th Cong., 1st sess.]

The Committee on Rivers and Harbors, to whom was referred the bill (H. R. 3029), to authorize the adoption of a report relating to seepage and drainage damages on the Illinois River, Ill., having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of this bill is to compensate certain levee and drainage districts bordering the Illinois River for damages incurred by reason of the construction of the existing slack-water navigation projects in the Mississippi and Illinois Rivers, all as outlined in the survey report of the War Department printed in House Document No. 711, Seventy-seventh Congress.

It should be noted that in the case of the upper Mississippi River improvement similar damages have been adjudicated by identical legislation.

An excerpt from the report of the Secretary of War (H. Doc. No. 711, 77th Cong.), being the letter of the Chief of Engineers which includes a tabulation of the estimated damages to the various levee districts involved and the method of settlement recommended, is as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, September 30, 1941.

The CHAIRMAN,
Committee on Rivers and Harbors,
House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: 1. The Committee on Rivers and Harbors of the House of Representatives, by resolution adopted February 10, 1937, requested

the Board of Engineers for Rivers and Harbors to review the reports on Illinois River, Ill., submitted in Rivers and Harbors Committee Document No. 37, Seventy-fourth Congress, first session, with a view to ascertaining as nearly as can be estimated the exact damages which may be caused to each of the levee and drainage districts bordering this river and to the individual landowners within said districts, by seepage, backwater, interference with farming operations, increase in height of water table, and the increased cost of tiling, ditching, pumping, and other drainage that will be caused by the prosecution of the existing project and the probable capitalized cost of reimbursing each of said districts and each of said landowners for such damages; and, if and when such total damages approach the value of the lands, with a view to ascertaining as nearly as can be estimated the exact cost of purchasing or condemning the lands with such seriously damaged districts, and the plants and other physical assets of the districts (omitting any improvement erected by the Federal or the State Government), and the practicability and value, for purposes of maintaining wildlife and controlling floods, of abandoning each of said levee projects, and permitting the lands to be flooded; and with a view to ascertaining as nearly as can be estimated the exact cost of purchasing or condemning flowage rights over said lands and said levee districts where the total damages approach the value of the lands. I enclose the report of the Board in response thereto.

2. After full consideration of the reports secured from the district and division engineers and after affording local interests full opportunity to be heard, the Board reports that it is impracticable to estimate the injuries to landowners as individuals, but that reimbursement of the districts would constitute reimbursement of the landowners therein. The Board further reports that the exact damages, as nearly as they can be estimated at this time, which may be caused to each levee and drainage district bordering the Illinois River, by prosecution of the existing project are as tabulated below and that the cost of reimbursing each of the districts is the capitalized amount indicated, plus a small amount for administrative expenses. In no case do these damages approach the value of the lands. The Board recommends that, if reimbursements are to be made, the amounts be in accordance with these estimates and that the reimbursements be subject to the condition that local interests furnish such assurances as the Secretary of War may find necessary to protect the United States from future claims for damages heretofore or hereafter sustained and from duplications in payments for the damages, and that the Secretary of War be authorized to make such adjustments at the time of settlement as he may find necessary to avoid duplication of payments.

Name of district	Pool	Annual damage	Capitalized damage
Nutwood.....	Alton.....	\$2,350	\$58,750
Eldred.....	do.....	4,580	114,500
Spankey.....	do.....	230	5,750
Keach.....	do.....	1,220	30,500
Hartwell.....	do.....	1,860	46,500
Hillview.....	do.....	1,080	27,000
Big Swan.....	do.....	690	17,250
Scott County.....	do.....	30	750
East Peoria.....	Peoria.....	100	2,500
Total.....	12,140	303,500

3. After due consideration of these reports, I concur in the views and recommendations of the Board.

Very truly yours,

E. REYBOLD,
Brigadier General, Acting Chief of Engineers.

